

AB:AP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

- against -

MUNSON P. HUNTER III,
also known as Paul Hunter

Defendant.

AFFIDAVIT IN
SUPPORT OF
REMOVAL TO THE
SOUTHERN
DISTRICT OF TEXAS
(Fed. R. Crim. P. 5)

Case No. 23-MJ-180

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EASTERN DISTRICT OF NEW YORK, SS:

RICHARD SMYTHE, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation (“FBI”), duly appointed according to law and acting as such.

On or about February 23, 2023, the United States District Court for the Southern District of Texas issued an arrest warrant for the arrest of MUNSON P. HUNTER, III, also known as Paul Hunter, for violations of Title 18, United States Code, Sections 1349 (conspiracy to commit bank fraud), 1344 (bank fraud), 1349 (conspiracy to commit wire fraud), and 1343 (wire fraud).

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. On or about February 23, 2023, the United States District Court for the Southern District of Texas issued a warrant for the arrest of the defendant MUNSON P. HUNTER, III, also known as Paul Hunter, for violations of Title 18, United States Code, Sections 1349 (conspiracy to commit bank fraud), 1344 (bank fraud), 1349 (conspiracy to commit wire fraud), and 1343 (wire fraud). A true and correct copy of the warrant (the “Arrest Warrant”) is attached as Exhibit A, and a true and correct copy of the now unsealed indictment charging HUNTER with violating 18 U.S.C. §§ 1349, 1344 and 1343 is attached as Exhibit B.

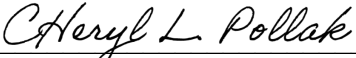
2. On February 24, 2023, members of the FBI apprehended the defendant MUNSON P. HUNTER, III, also known as Paul Hunter, who confirmed his identity to members of the FBI. Agents also verified HUNTER’s identity on HUNTER’s U.S. Passport card in which the photo on the identification was consistent with HUNTER’s appearance and the appearance of the HUNTER wanted in the Southern District of Texas.

WHEREFORE, your deponent respectfully requests that the defendant MUNSON P. HUNTER, III, also known as Paul Hunter, be removed to the Southern District of Texas so that he may be dealt with according to law.

S/ Richard Smythe

RICHARD SMYTHE
Special Agent
Federal Bureau of Investigation

Sworn to before me this
24 day of February, 2023



HONORABLE CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

EXHIBIT A

AO 442 (Rev. 11/11) Arrest Warrant

RECEIVED
UNITED STATES MARSHALS

2023 FEB 23 PM 12:39

UNITED STATES DISTRICT COURT

for the
SOUTHERN DISTRICT OF TEXAS

HOUSTON WARRANTS

UNITED STATES OF AMERICA

versus

Munson P. Hunter, III

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Criminal No. 4:23-cr-00085 *SEALED*

Sealed

Public and unofficial staff access
to this instrument are
prohibited by court order

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay (*name of person to be arrested*) **Munson P. Hunter, III, AKA: Paul Hunter**, who is accused of an offense or violation based on the following document filed with the court:

☒ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
☐ Probation Violation
☐ Pretrial Release Violation
☐ Supervised Release Violation
☐ Violation Notice
☐ Order of the Court

This offense is briefly described as follows:

Ct. 1: Conspiracy to Commit Bank Fraud [18 U.S.C. § 1349] Ct. 2: Bank Fraud [18 U.S.C. § 1344] Ct. 3: Conspiracy to Commit Wire Fraud [18 U.S.C. § 1349] Ct 4.: Wire Fraud [18 U.S.C. § 1343]

Date: February 23, 2023

City and state: Houston, TX



/s/ A. Michael

Issuing officer's signature

A. Michael, Deputy Clerk

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____, at (city and state) _____.

Date: _____

Arresting officer's signature_____
Printed name and title

EXHIBIT B

Sealed

Public and unofficial staff access
to this instrument are
prohibited by court order

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

February 22, 2023

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

v.

MUNSON P. HUNTER III
a/k/a Paul Hunter,
GREGORY THURMAN,
TRAVIS DEON WRIGHT and
JANEM LYNETTE GIBBS
Defendants.

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CRIMINAL NO. **4:23-cr-85**

UNDER SEAL

INDICTMENT

THE GRAND JURY CHARGES:

At all times material to this Indictment:

COUNT ONE

(Conspiracy to Commit Bank Fraud 18 U.S.C. 1349)

A. INTRODUCTION

1. The Federal Deposit Insurance Corporation (“FDIC”) was an agency of the United States established to protect depositors of financial institutions by insuring accounts of depositors against loss up to \$250,000.00 with the purpose of preventing their collapse and instilling public confidence in the nation’s financial institutions. The FDIC insurance fund was backed by the United States Government.

2. Capital One, N.A. (“Capital One”) was a financial institution with branches in the Southern District of Texas, the deposits of which were insured by the FDIC.

3. Defendant **MUNSON P. HUNTER III**, also known as **Paul Hunter** (HUNTER), lived Queens, New York City.

4. Defendants **GREGORY THURMAN** (THURMAN) and **TRAVIS DEON WRIGHT** (WRIGHT) lived in and near Houston, Texas.

5. Defendant **JANEM LYNETTE GIBBS** (GIBBS) was employed by Capital One in Houston, Texas, as a Multi-Branch Manager. GIBBS worked primarily at Capital One’s Cinco Ranch branch but sometimes worked at the Katy-Mason branch in Katy, Texas.

B. THE CONSPIRACY AND ITS OBJECTS

Beginning in late 2014 and continuing through June 8, 2016, in the Houston Division of the Southern District of Texas, and elsewhere, the defendants,

MUNSON P. HUNTER III
a/k/a Paul Hunter,
GREGORY THURMAN,
TRAVIS DEON WRIGHT and
JANEM LYNETTE GIBBS,

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate and agree with persons known and unknown to the Grand Jury to commit an offense against the United States, that is:

to knowingly execute and attempt to execute a scheme and artifice to defraud a financial institution, Capital One, N.A., and to obtain moneys, funds, and credits owned by and under the custody and control of Capital One, N.A., by means of material false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

C. THE MANNER AND MEANS OF THE CONSPIRACY

1. It was a part of the conspiracy that GIBBS queried Capital One's electronic data system to find customer bank accounts that she and her co-conspirators could steal from.

2. It was a further part of the conspiracy that conspirators stole money from Capital One customer accounts using the Automated Clearing House system.

3. It was a further part of the conspiracy that GIBBS agreed to steal \$200,000.00 from the bank account of Capital One customer J.D.B.

4. It was a further part of the conspiracy that GIBBS met inside Capital One's Katy-Mason branch with an unidentified co-conspirator who pretended to be customer J.D.B.

5. It was a further part of the conspiracy that THURMAN communicated with GIBBS while she was meeting with the unidentified co-conspirator.

6. It was a further part of the conspiracy that THURMAN also communicated with WRIGHT, and WRIGHT communicated with HUNTER, around the time GIBBS was meeting with the unidentified co-conspirator.

7. It was a further part of the conspiracy that GIBBS instructed Capital

One to wire transfer \$200,000.00 from J.D.B.'s account at Capital One to a bank account in the name of "Elliot Bowman" at Wells Fargo Bank, N.A.

D. ACTS IN FURTHERANCE OF THE CONSPIRACY

In furtherance of the conspiracy, and to effect the objects thereof, one or more of the conspirators committed one or more of the following overt acts, among others:

1. On or about April 8, 2016, GIBBS used another employee's credentials to access customer J.D.B.'s electronic account records at Capital One.

2. On or about June 8, 2016, GIBBS met inside Capital One's Katy-Mason branch with an unidentified man who pretended to be J.D.B.

3. On or about June 8, 2016, GIBBS instructed Capital One to wire transfer \$200,000.00 from J.D.B.'s account at Capital One to Wells Fargo Bank, N.A., for credit to account # 6779942942 in the name of "Elliot Bowman", 11064 Queens Blvd., Forest Hills, New York 11375.

In violation of Title 18, United States Code, Section 1349.

COUNT TWO
(Bank Fraud 18 U.S.C. § 1344)

A. INTRODUCTION

Section A of Count One of this Indictment is re-alleged and incorporated by reference as though fully set forth herein.

B. THE SCHEME TO DEFRAUD

From late 2014 through June 8, 2016, in the Houston Division of the Southern District of Texas, and elsewhere, the defendants,

MUNSON P. HUNTER III
a/k/a Paul Hunter,
GREGORY THURMAN,
TRAVIS DEON WRIGHT and
JANEM LYNETTE GIBBS,

aided and abetted by others known and unknown to the Grand Jury, did knowingly execute and attempt to execute a scheme and artifice to defraud Capital One, a financial institution, and to obtain money, funds and credit owned by and under the custody and control of Capital One by means of materially false and fraudulent pretenses, representations and promises including the concealment of material facts.

C. THE MANNER AND MEANS OF THE SCHEME

Section C of Count One of this Indictment is re-alleged and incorporated by reference herein as a description of the scheme and artifice.

D. THE EXECUTION OF THE SCHEME

On or about June 8, 2016, in the Houston Division of the Southern District of Texas, and elsewhere, the defendants executed and attempted to execute the aforesaid scheme and artifice to defraud, as described below:

<p style="text-align: center;"><u>Bank Fraud Execution</u></p>

<p>\$200,000.00 wire transfer from Capital One, N.A., to Wells Fargo Bank, N.A., for credit to account # 6779942942 in the fictitious name “Elliot Bowman”.</p>

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT THREE

(Conspiracy to Commit Wire Fraud 18 U.S.C. § 1349)

A. **INTRODUCTION**

Section A of Count One of this Indictment is re-alleged and incorporated by reference as though fully set forth herein.

B. **THE CONSPIRACY AND ITS OBJECTS**

Beginning in early 2016 and continuing through in or about September 2016 in the Houston Division of the Southern District of Texas, and elsewhere, the he defendants,

**MUNSON P. HUNTER III
a/k/a Paul Hunter,
GREGORY THURMAN and
TRAVIS DEON WRIGHT,**

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate and agree with persons known and unknown to the Grand Jury to commit an offense against the United States, that is:

having devised or intending to devise a scheme and artifice to defraud affecting a financial institution, that is, Capital One, N.A., and for obtaining money from Capital One, N.A., by means of false or

fraudulent pretenses, representations, or promises, to knowingly transmit or cause to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, in violation of Title 18, United States Code, Section 1343.

C. THE MANNER AND MEANS OF THE CONSPIRACY

1. Section C of Count One of this Indictment is re-alleged and incorporated by reference herein as a description of the conspiracy.

2. It was a further part of the conspiracy that \$200,000.00 was wire transferred from J.D.B.'s account at Capital One, N.A. (Capital One) in the Southern District of Texas across state lines to Wells Fargo Bank, N.A. (Wells Fargo) in New York for credit to account # 6779942942 in the fictitious name "Elliot Bowman".

3. It was a further part of the conspiracy that conspirators removed almost all of the stolen \$200,000.00 from "Elliot Bowman" account # 6779942942 at Wells Fargo by writing checks and depositing those checks into accounts opened using fictitious names at Bank of America, N.A. (Bank of America) and JPMorgan Chase Bank, N.A. (Chase).

4. It was a further part of the conspiracy that conspirators emptied the accounts at Bank of America and Chase mostly by obtaining cashier's checks and depositing those checks into accounts at other banks in New York, Virginia and Texas. The cashier's check deposits caused signals to be transmitted by means of

wire communications in and affecting interstate commerce.

D. ACTS IN FURTHERANCE OF THE CONSPIRACY

In furtherance of the conspiracy, and to effect the objects thereof, one or more of the conspirators committed one or more of the following overt acts, among others:

1. On or about June 9, 2016, check #100 for \$25,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Max Money & Management LLC” account # 483058658047 at Bank of America, in New York.

2. On or about June 9, 2016, check #101 for \$3,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Max Money & Management LLC” account # 483064146666 at Bank of America, in New York.

3. On or about June 9, 2016, check #102 for \$25,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “David B Fisher DBA Fisher Data Designz” account # 483055738559 at Bank of America, in New York.

4. On or about June 9, 2016, check #103 for \$3,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Huwan Hobbs Inc.” account # 483064162420 at Bank of America, in New York.

5. On or about June 9, 2016, check #104 for \$3,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Huwan

Hobbs Inc.” account # 483064162404 at Bank of America, in New York.

6. On or about June 9, 2016, check #105 for \$3,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Huvan Hobbs Inc.” account # 483064162433 at Bank of America, in New York.

7. On or about June 9, 2016, check #106 for \$9,500.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Huvan Hobbs Inc.” account # 483064162394 at Bank of America, in New York.

8. On or about June 9, 2016, check #107 for \$25,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Max Money & Management LLC” account # 483058658063 at Bank of America, in New York.

9. On or about June 9, 2016, check #108 for \$25,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “David B Fisher DBA Fisher Data Designz” account # 483055738559 at Bank of America, in New York.

10. On or about June 10, 2016, check #109 for \$25,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo was deposited into “Peter A. Brown” account # 265168395 at Chase, in New York.

11. On or about June 10, 2016, defendant HUNTER deposited check #110 for \$50,000.00 drawn on “Elliot Bowman” account # 6779942942 at Wells Fargo into “Paul V. Hunter” account # 261307661 at Chase, in New York.

12. On or about June 30, 2016, defendant THURMAN deposited Bank of America cashier's check # 9506384701 for \$24,990.37 payable to Max Money and Management LLC into "Gregory Thurman DBA Max Money and Management" account # 3023944412 at Capital One, in Houston, Texas.

13. On or about July 1, 2016, defendant THURMAN deposited Bank of America cashier's check # 9506384702 for \$25,002.14 payable to Max Money and Management LLC into "Gregory Thurman DBA Max Money and Management" account # 1113317248 at International Bank of Commerce, in Houston, Texas.

14. On or about July 1, 2016, defendant THURMAN deposited Bank of America cashier's check # 9506384703 for \$3,000.00 payable to Max Money and Management LLC into "Gregory Thurman DBA Max Money and Management" account # 1113317248 at International Bank of Commerce, in Houston, Texas.

15. On or about July 18, 2016, Chase cashier's check # 5004817479 for \$25,000 payable to Peter A. Brown was deposited into "Peter Brown" account # 36019401475 at Capital One, in New York.

16. On or about July 20, 2016, Bank of America cashier's check # 1021300333 for \$50,070.27 payable to David B. Fisher DBA Fisher Data Designz was deposited into "David Fisher" account # 36019426076 at Capital One, in New York.

17. On or about July 21, 2016, defendant WRIGHT deposited Bank of

America cashier's check # 9506384345 for \$3,000.02 payable to Huvan Hobbs Inc. into "Huvan Hobbs Inc." account # 7055408236 at Navy Federal Credit Union, in Virginia.

18. On or about July 22, 2016, defendant WRIGHT deposited Bank of America cashier's check # 9506384343 for \$3,000.00 payable to Huvan Hobbs Inc. into "Huvan Hobbs Inc." account # 256740281 at BB&T Bank, in Virginia.

19. On or about Aug. 2, 2016, defendant WRIGHT deposited Bank of America cashier's check # 9506384346 for \$9,500 payable to Huvan Hobbs Inc. into "Huvan Hobbs Inc." account # 256740281 at BB&T Bank, in Virginia.

20. On or about on Aug. 9, 2016, defendant WRIGHT deposited Bank of America cashier's check # 9506384344 for \$3,000 payable to Huvan Hobbs Inc. into "Huvan Hobbs Inc." account # 256740281 at BB&T Bank, in Virginia.

In violation of Title 18, United States Code, Section 1349.

COUNT FOUR
(Wire Fraud 18 U.S.C. § 1343)

A. **INTRODUCTION**

Section A of Count One of this Indictment is re-alleged and incorporated by reference as though fully set forth herein..

B. **THE SCHEME TO DEFRAUD**

From early 2016 through September, 2016, in the Houston Division of the Southern District of Texas, and elsewhere, the defendants,

MUNSON P. HUNTER III
a/k/a Paul Hunter,
GREGORY THURMAN and
TRAVIS DEON WRIGHT,

aided and abetted by others known and unknown to the Grand Jury, knowingly devised and intended to devise a scheme to defraud affecting a financial institution and to obtain money from a financial institution by means of materially false and fraudulent pretenses, representations and promises.

C. THE MANNER AND MEANS OF THE SCHEME

Section C of Count Three of this Indictment is re-alleged and incorporated by reference herein as a description of the scheme and artifice.

D. THE EXECUTION OF THE SCHEME

On or about June 8, 2016, in the Houston Division of the Southern District of Texas, and elsewhere, for the purpose of executing the above-described scheme to defraud and to obtain money by materially false and fraudulent pretenses, representations, and promises, and attempting to do so, the defendants knowingly caused to be transmitted by means of wire communications in and affecting interstate commerce, the following writings, signals and sounds:

<u>Interstate Wire Transmission</u>
\$200,000.00 wire transfer from Capital One, N.A., in Texas to Wells Fargo Bank, N.A., in New York for credit to “Elliot Bowman” account # 6779942942.

In violation of Title 18, United States Code, Section 1343 and 2.

A TRUE BILL:

Original Signature on File

FOREPERSON OF THE GRAND JURY

Alamdar Hamdani
United States Attorney

By: John R. Lewis
JOHN R. LEWIS
Assistant United States Attorney